

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ERIC & CO TRADING GROUP LLC,

CASE NO.: 23-CV-20045-RKA

Judgment Creditor,

v.

FLOYD MAYWEATHER, JR.,

Judgment Debtor.

and

TD BANK, NATIONAL ASSOCIATION,

Garnishee.

/

**NOTICE OF GARNISHMENT AND CERTIFICATE OF SERVICE
PURSUANT TO FED. R. CIV. PRO. 64 AND FLA. STAT. § 77.041**

PLEASE TAKE NOTICE, pursuant to Plaintiff/Judgment Creditors' Motion for Writ of Garnishment, a Writ of Garnishment has been issued against Garnishee, TD BANK, NATIONAL ASSOCIATION. A copy of the Motion and the executed Writ are attached hereto as **Composite Exhibit 1**. Also attached is the Notice to Defendant of Rights Against Garnishment of Wages, Money, and Other Property, along with the Claim of Exemption form, as **Exhibit 2**.

Respectfully submitted,

MILLENNIAL LAW
Attorneys for Plaintiff/Judgment Creditor
501 E. Las Olas Blvd Ste 200/314
Fort Lauderdale, FL 33301
Phone: 954-271-2719

By: s/ Zachary P. Hyman
Zachary P. Hyman
Florida Bar No. 98581
zach@millenniallaw.com
millenniallawforms@gmail.com
jessica@millenniallaw.com
assistant@millenniallaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed using the Court's online CM/ECF Filing System on this **11th** day of December, 2023, which sent a true and correct copy to counsel for Defendant, and that a true and correct copy was sent out for service of process upon Garnishee as indicated below.

Via CM/ECF Notice of Electronic Filing

Jared Lopez, Esq.

Zaharah R. Markoe, Esq.

Tazio Heller, Esq.

BLACK SREBNICK, P.A.

201 S. Biscayne Boulevard, Suite 1300

Miami, Florida 33131

jlopez@royblack.com

zmarkoe@royblack.com

theller@royblack.com

civilpleadings@royblack.com

Counsel for Defendant/Judgment Debtor

Via Process Server

TD BANK, NATIONAL ASSOCIATION

c/o United States Corporation Company, Registered Agent

1201 Hays Street

Tallahassee, Florida 32301

Garnishee

COMPOSITE EXHIBIT 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ERIC & CO TRADING GROUP LLC,

CASE NO.: 23-CV-20045-RKA

Judgment Creditor,

v.

FLOYD MAYWEATHER, JR.,

Judgment Debtor.

and

TD BANK, NATIONAL ASSOCIATION,

Garnishee.

/

MOTION FOR WRIT OF GARNISHMENT
(After Judgment)

Judgment Creditor, ERIC & CO TRADING GROUP LLC (“**Judgment Creditor**” or “**Eric & Co.**”), moves for the issuance of a Writ of Garnishment pursuant to Fed. R. Civ. P. 64 and Section 77.03, Florida Statutes, against Garnishee, TD BANK, NATIONAL ASSOCIATION (“**TD Bank**”), stating in support thereof as follows:

1. On June 3, 2023, this Court entered a Final Judgment (the “**Judgment**”) in favor of Eric & Co. and against FLOYD MAYWEATHER, JR. (“**Judgment Debtor**” or “**Mayweather**”), in the sum of \$1,168,650, plus prejudgment interest of \$111,551.32, with interest at the current post-judgment statutory rate as designated in the State of Florida at the time of the filing of this Motion of 7.69%.

2. The Judgment was electronically filed by the Court Deputy on June 5, 2023, and a copy of the Judgment was certified by the Clerk on August 1, 2023.

3. The Judgment was recorded on August 15, 2023, under Instrument #119041719 of the Official Public Records of Broward County, Florida. A true and correct copy of the Broward County recorded Judgment is attached hereto as **Exhibit A** and incorporated by reference herein.

4. The Judgment was also recorded on August 22, 2023, under CFN: 20230584720, Book 33846, Page 1498 of the Official Public Records of Miami-Dade County, Florida. A true and correct copy of the Miami-Dade County recorded Judgment is attached hereto as **Exhibit B** and incorporated by reference herein.

5. The sum of \$1,168,650, plus prejudgment interest of \$111,551.32, and post-judgment interest, attorneys' fees and costs in the amount of \$8,576 remains due and unpaid on the Judgment.

6. ERIC & CO. has reason to believe that TD Bank is in possession of money or other property of MAYWEATHER that could be used to pay a portion of the Judgment.

7. Accordingly, ERIC & CO. moves for the issuance of a Writ of Garnishment against TD Bank.

WHEREFORE, ERIC & CO TRADING GROUP LLC respectfully requests that the Clerk of the Court issue a Writ of Garnishment against Garnishee, TD BANK, NATIONAL ASSOCIATION, to capture any money or other property of Judgment Debtor, FLOYD MAYWEATHER, JR. that could be used to pay the Judgment.

DATED this 11th day of December, 2023.

Respectfully submitted,

MILLENNIAL LAW
Attorneys for Judgment Creditor
501 E. Las Olas Blvd Ste 200/314
Fort Lauderdale, FL 33301
Phone: 954-271-2719

By: s/ Zachary P. Hyman
Zachary P. Hyman
Florida Bar No. 98581
zach@millenniallaw.com
jessica@millenniallaw.com
assistant@millenniallaw.com
millenniallawforms@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed using the Court's online CM/ECF Filing System on this 11th day of December, 2023, which sent a true and correct copy to counsel for Defendant as indicated below.

Via CM/ECF Notice of Electronic Filing

Jared Lopez, Esq.

Zaharah R. Markoe, Esq.

Tazio Heller, Esq.

BLACK SREBNICK, P.A.

201 S. Biscayne Boulevard, Suite 1300

Miami, Florida 33131

jlopez@royblack.com

zmarkoe@royblack.com

theller@royblack.com

civilpleadings@royblack.com

Counsel for Defendant/Judgment Debtor

EXHIBIT A

Case 1:23-cv-20045-RKA Document 15 Entered on FLSD Docket 06/05/2023 Page 1 of 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-cv-20045-ALTMAN/Reid

ERIC & CO TRADING GROUP LLC,

Plaintiff,

v.

FLOYD MAYWEATHER, JR.,

Defendant.

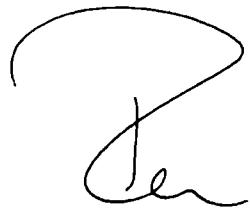
DEFAULT FINAL JUDGMENT

In a separate Order [ECF No. 13], the Court granted the Plaintiff's Motion for Entry of Final Default Judgment [ECF No. 9]. Pursuant to Federal Rule of Civil Procedure 58, the Court hereby ORDERS and ADJUDGES that:

1. Judgment is entered in favor of the Plaintiff as follows:
 - a. The Plaintiff shall recover from the Defendant:
 - i. Treble damages in the amount of \$1,168,650 for civil theft pursuant to Fla. Stat. § 772.11(1).
 - ii. Reasonable attorneys' fees and costs in the amount of \$8,576 pursuant to Fla. Stat. § 772.11(1).
2. The Plaintiff shall be entitled to pre-judgment interest on the total judgment amount at the applicable legal rate from June 6, 2021, through the date of this Judgment.
3. The Plaintiff shall be entitled to post-judgment interest on the total judgment amount as allowable by law from the date of this Judgment through the date of payment.
4. For the above sums, let execution issue.
5. The Court retains jurisdiction to enforce this Default Final Judgment.

Case 1:23-cv-20045-RKA Document 15 Entered on FLSD Docket 06/05/2023 Page 2 of 2

DONE AND ORDERED in the Southern District of Florida on June 3, 2023.



ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record

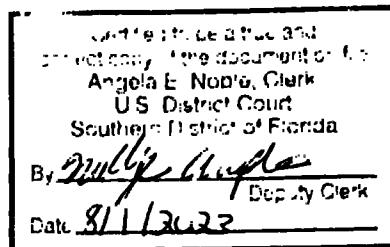


EXHIBIT B

Case 1:23-cv-20045-RKA Document 15 Entered on FLSD Docket 06/05/2023 Page 1 of 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-cv-20045-ALTMAN/Reid

ERIC & CO TRADING GROUP LLC,

Plaintiff,

v.

FLOYD MAYWEATHER, JR.,

Defendant.

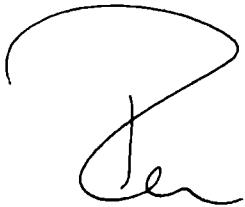
DEFAULT FINAL JUDGMENT

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1. Judgment is entered in favor of the Plaintiff as follows:
 - a. The Plaintiff shall recover from the Defendant:
 - i. Treble damages in the amount of \$1,168,650 for civil theft pursuant to Fla. Stat. § 772.11(1).
 - ii. Reasonable attorneys' fees and costs in the amount of \$8,576 pursuant to Fla. Stat. § 772.11(1).
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4. For the above sums, let execution issue.
5. The Court retains jurisdiction to enforce this Default Final Judgment.

Case 1:23-cv-20045-RKA Document 15 Entered on FLSD Docket 06/05/2023 Page 2 of 2

DONE AND ORDERED in the Southern District of Florida on June 3, 2023.



ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record

Entered into the file and dated today, the document on file Angela E. Noble, Clerk U.S. District Court Southern District of Florida
By <u>Angela E. Noble</u> Deputy Clerk Date <u>8/11/2023</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ERIC & CO TRADING GROUP LLC,

CASE NO.: 23-CV-20045-RKA

Judgment Creditor,

v.

FLOYD MAYWEATHER, JR.,

Judgment Debtor.

and

TD BANK, NATIONAL ASSOCIATION,

Garnishee.

/

WRIT OF GARNISHMENT

THE STATE OF FLORIDA:

To Each Sheriff of the State:

YOU ARE COMMANDED to summon the garnishee, **TD BANK, NATIONAL ASSOCIATION, c/o United States Corporation Company, Registered Agent, 1201 Hays Street, Tallahassee, Florida 32301**, to serve an answer to this writ on Judgment Creditor's attorney, whose address is Zachary P. Hyman, Esq., Millennial Law, 501 E. Las Olas Blvd, Suite 200/314, Fort Lauderdale, Florida 33301 within 20 days after service on the garnishee, exclusive of the day of service, and to file the original with the clerk of this court either before service on the attorney or immediately thereafter, stating whether the garnishee is indebted to Judgment Debtor, ERIC & CO TRADING GROUP LLC, at the time of the answer or was indebted at the time of service of the writ, or at any time between such times, and in what sum and what tangible and intangible personal property of the Judgment Debtor the Garnishee is in possession or control

of at the time of the answer or had at the time of service of this writ, or at any time between such times, and whether the garnishee knows of any other person indebted to the defendant or who may be in possession or control of any of the property of the Judgment Debtor. The amount set in plaintiff's motion is the sum of \$1,168,650.00, plus prejudgment interest of \$111,551.32 and post-judgment interest, attorneys' fees and costs in the amount of \$8,576 remains due and unpaid on the Judgment.

DATED: _____

ANGELA E. NOBLE
CLERK OF COURT

By: _____
As Deputy Clerk

Copies furnished to:

Zachary P Hyman, Esq.
zach@millenniallaw.com
jessica@millenniallaw.com
assistant@millenniallaw.com
millenniallawforms@gmail.com

Jared Lopez, Esq.
Zaharah R. Markoe, Esq.
Tazio Heller, Esq.
jlopez@royblack.com
zmarkoe@royblack.com
theller@royblack.com
civilpleadings@royblack.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ERIC & CO TRADING GROUP LLC,

CASE NO.: 23-CV-20045-RKA

Judgment Creditor,

v.

FLOYD MAYWEATHER, JR.,

Judgment Debtor.

and

TD BANK, NATIONAL ASSOCIATION,

Garnishee.

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To Each Sheriff of the State:

YOU ARE COMMANDED to summon the garnishee, **TD BANK, NATIONAL ASSOCIATION, c/o United States Corporation Company, Registered Agent, 1201 Hays Street, Tallahassee, Florida 32301**, to serve an answer to this writ on Judgment Creditor's attorney, whose address is Zachary P. Hyman, Esq., Millennial Law, 501 E. Las Olas Blvd, Suite 200/314, Fort Lauderdale, Florida 33301 within 20 days after service on the garnishee, exclusive of the day of service, and to file the original with the clerk of this court either before service on the attorney or immediately thereafter, stating whether the garnishee is indebted to Judgment Debtor, ERIC & CO TRADING GROUP LLC, at the time of the answer or was indebted at the time of service of the writ, or at any time between such times, and in what sum and what tangible and intangible personal property of the Judgment Debtor the Garnishee is in possession or control

of at the time of the answer or had at the time of service of this writ, or at any time between such times, and whether the garnishee knows of any other person indebted to the defendant or who may be in possession or control of any of the property of the Judgment Debtor. The amount set in plaintiff's motion is the sum of \$1,168,650.00, plus prejudgment interest of \$111,551.32 and post-judgment interest, attorneys' fees and costs in the amount of \$8,576 remains due and unpaid on the Judgment.

DATED: Dec 11, 2023

ANGELA E. NOBLE
CLERK OF COURT

By: **Angela E. Noble**
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
By: S. Carlson
Deputy Clerk

Copies furnished to:

Zachary P Hyman, Esq.
zach@millenniallaw.com
jessica@millenniallaw.com
assistant@millenniallaw.com
millenniallawforms@gmail.com

Jared Lopez, Esq.
Zaharah R. Markoe, Esq.
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EXHIBIT 2

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

**NOTICE TO DEFENDANT OF RIGHT AGAINST GARNISHMENT OF WAGES,
MONEY, AND OTHER PROPERTY**

This notice is provided pursuant to Florida Statute 77.041 in accordance with Fed. R. Civ. P. 69.

The Writ of Garnishment delivered to you with this Notice means that wages, money, and other property belonging to you have been garnished to pay a court judgment against you.

HOWEVER, YOU MAY BE ABLE TO KEEP OR RECOVER YOUR WAGES, MONEY, OR PROPERTY. READ THIS NOTICE CAREFULLY.

State and federal laws provide that certain wages, money, and property, even if deposited in a bank, savings and loan, or credit union, may not be taken to pay certain types of court judgments. Such wages, money, and property are exempt from garnishment. The major exemptions are listed below on the form for Claim of Exemption and Request for Hearing. This list does not include all possible exemptions. You should consult a lawyer for specific advice.

If an exemption from garnishment applies to you and you want to keep your wages, money, and other property from being garnished, or to recover anything already taken, you must complete a form for claim of exemption and request for hearing as set forth below and have the form notarized. If you have a valid exemption, you must file the form with the clerk's office within 20 days after the date you receive this notice or you may lose important rights. You must also mail or deliver a copy of this form to the plaintiff or the plaintiff's attorney and the garnishee or the garnishee's attorney at the addresses listed on the writ of garnishment. Note that the form requires you to complete a certification that you mail or hand deliver copies to the plaintiff or the plaintiff's attorney and the garnishee or the garnishee's attorney.

If you request a hearing, it will be held as soon as possible after your request is received by the court. The plaintiff or the plaintiff's attorney must file any objection within 8 business days if you hand delivered to the plaintiff or the plaintiff's attorney a copy of the form for Claim of Exemption and Request for Hearing or, alternatively, 14 business days if you mailed a copy of the form for claim and request to the plaintiff or the plaintiff's attorney. If the plaintiff or the plaintiff's attorney files an objection to your Claim of Exemption and Request for Hearing, the clerk will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney. If the plaintiff or the plaintiff's attorney fails to file an objection, no hearing is required, the writ of garnishment will be dissolved and your wages, money, or property will be released.

If you have a valid exemption, you should file the form for claim of exemption immediately to keep your wages, money, or property from being applied to the court judgment. The clerk cannot give you legal advice. If you need legal assistance you should see a lawyer. If you cannot afford a private lawyer, legal services may be available. Contact your local bar association or ask the clerk's office about any legal services program in your area.

UNITED STATES DISTRICT COURT
Southern District of Florida

v.
_____,)
Plaintiff) Case No. _____
_____,)
Defendant)
_____,)
Garnishee

CLAIM OF EXEMPTION AND REQUEST FOR HEARING

I claim exemptions from garnishment under the following categories as checked:

- 1. Head of family wages. (Check either a. or b. below, if applicable.)
 - a. I provide more than one-half of the support for a child or other dependent and have net earnings of \$750 or less per week.
 - b. I provide more than one-half of the support for a child or other dependent, have net earnings of more than \$750 per week, but have not agreed in writing to have my wages garnished.
- 2. Social Security benefits.
- 3. Supplemental Security Income benefits.
- 4. Public assistance (welfare).
- 5. Workers' Compensation.
- 6. Reemployment assistance or unemployment compensation.
- 7. Veterans' benefits.
- 8. Retirement or profit-sharing benefits or pension money.
- 9. Life insurance benefits or cash surrender value of a life insurance policy or proceeds of annuity contract.
- 10. Disability income benefits.
- 11. Prepaid College Trust Fund or Medical Savings Account.
- 12. Other exemptions as provided by law. _____ (explain)

I request a hearing to decide the validity of my claim. Notice of the hearing should be given to me at:

Address: _____

Telephone number: _____

I CERTIFY UNDER OATH AND PENALTY OF PERJURY that a copy of this CLAIM OF EXEMPTION AND REQUEST FOR HEARING has been furnished by (circle one) United States mail or hand delivery on (insert date), to: (insert names and addresses of Plaintiff or Plaintiff's attorney and of Garnishee or Garnishee's attorney to whom this document was furnished).

I FURTHER CERTIFY UNDER OATH AND PENALTY OF PERJURY that the statements made in this request are true to the best of my knowledge and belief.

Defendant's signature

Date

STATE OF FLORIDA

COUNTY OF _____

**Sworn and subscribed to before me this _____ day of _____ (month and year),
By _____ (name of person making statement).**

Notary Public/Deputy Clerk

Personally Known

OR

Produced Identification

Type of Identification Produced: _____